Notice of Allowability	Application No.	Applicant(s)	
	10/698,593	IVERS, DREW R.	
	Examiner	Art Unit	
	Phuong T. Bui	1638	,
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communication IGHTS. This application is subject t	pplication. If not included n will be mailed in due course.	
2. ☐ The allowed claim(s) is/are 1-7 and 10-22.			
<u> </u>	_		
 The drawings filed on are accepted by the Examine Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: 	nder 35 U.S.C. § 119(a)-(d) or (f). be been received. be been received in Application No		n the
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the requireme	nts
5. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give			OF
 CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the sheet in the sheet	on's Patent Drawing Review (PTO s Amendment / Comment or in the C .84(c)) should be written on the drawi	Office action of ngs in the front (not the back) o	f
 DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT 	sit of BIOLOGICAL MATERIAL r FOR THE DEPOSIT OF BIOLOGIC	must be submitted. Note the AL MATERIAL.	
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 4. ☑ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ⊠ Interview Summary Paper No./Mail Da 8), 7. ⊠ Examiner's Amendr	te <u>1/7/05</u> .	

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Jondle on December 4, 2004.

The application has been amended as follows:

Claims 30-31 have been canceled.

Claim 20 (amended). A method of producing a soybean plant with modified fatty acid or modified carbohydrate metabolism comprising transforming the soybean plant of claim 2 with a transgene encoding a protein selected from the group consisting of [stearyl-ACP desaturase,] fructosyltransferase, levansucrase, alpha-amylase, invertase and starch branching enzyme or with an antisense of a stearyl-ACP desaturase gene, wherein said transgene is expressed.

2. The above amendments were made to remove claim language not supported by the originally-filed specification.

REQUIREMENT OF ALLOWANCE UNDER 37 CFR 1.801-1.809

3. The Deposit Statement in Applicant's amendment is deemed in accordance with 37 CFR 1.801-1.809. Since the application is otherwise in condition for allowance except for the needed deposit of seed, and since the Office has received written assurance that an acceptable deposit will be made on or before payment of the issue

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fee, the Office is authorized to mail Applicant a Notice of Allowance and Issue Fee Due together with a requirement that the needed deposit be made within THREE (3) MONTHS of the mail date of this letter (see 37 CFR 1.809(c)).

As set forth in 37 CFR 1.809(c), Applicant is required to deposit 2500 seeds of the claimed plant within THREE (3) MONTHS of the mail date of this letter; thus the time for making the deposit is on or before the payment of the issue fee. Although the time period for paying the issue fee cannot be extended, the time period for satisfying the deposit requirement may be extended under the provisions of 37 CFR 1.136. Failure to make the needed deposit of 2500 seeds will result in abandonment of the application for failure to prosecute.

Applicant is reminded that once the deposit of seed has been made, information regarding the date of deposit, description of the deposited material including number of seeds deposited, name and address of the depository, and the accession number must be added to the specification in order to comply with 37 CFR 1.809(d). In addition, the claims must be amended to replace the blank "______ " with the appropriate Accession Number. Amendments to the specification and the claims must be filed under 37 CFR 1.312.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Bui whose telephone number is 571-272-0793.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on 571-272-0804. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuong T. Bui /10/05

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